

# Heriberto Cabrera &

ASSOCIATES • ATTORNEYS AT LAW

480 39th Street, 2nd Floor  
Brooklyn, NY 11232  
T: 718.439.3600  
F: 718.439.1452  
www.gonylaw.com  
info@gonylaw.com

The Hon. Sidney H. Stein  
U.S. District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

January 22, 2021

**MEMO ENDORSED**

Re: USA v. Guzman-Cabrera  
18 cr 00868 SHS

Judge Stein:

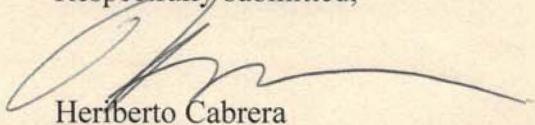
The undersigned is attorney for Mr. Jose Francisco Guzman-Cabrera. This letter is being submitted to seek the Court's permission to adjourn the status conference scheduled for Jan. 27, 2021, and to further defer both the dates of pretrial submissions and the trial itself which is presently scheduled for April 5, 2021. I have discussed the instant request with Mr. Guzman who understands that this time is excludable, and with the Government who understands the reasons for the instant request, and as we anticipated, the Government will officially take no position with regard to this application.

Mr. Guzman-Cabrera is currently in custody at the Essex County Correctional Facility in New Jersey. During the pendency of this case, I have been working very diligently to review all the discovery documents disclosed by the Government related to this matter. Indeed, I have had to seek the help of another lawyer to assist me in reviewing the extensive discovery material we have received from the Government. Unfortunately, owing in large part to the fact that there are no-in-person visits permitted at the Essex County Jail, and further because the client is not permitted to sit at a computer as we go through the discovery materials by telephone, the process of review has been extremely laborious and nearly impossible to coordinate. I have spoken with an officer at the jail requesting that Mr. Guzman-Cabrera be permitted to sit at a computer as we review the discovery material, and I have been informed the jail cannot accommodate the request owing to the ongoing pandemic.

Additionally, on January 13, 2021, I received additional discovery materials from the Government which is substantial in volume and requires review with my client. On the last occasion, it took approximately three weeks for my client to receive the discovery documents which are sent by the Government in a USB provided by my office. Clearly, it is expected to take at least as long this time again for my client to receive the discovery.

For all the reasons discussed herein, it is respectfully requested this Court adjourn the status conference of the referenced matter for sixty (60) days, and that this Court adjust the scheduling order for motions, proposed Voir Dire and trial accordingly.

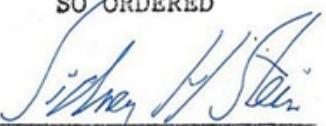
Respectfully submitted,



Heriberto Cabrera

The videoconference scheduled for January 27 at 11:00 a.m. will be converted to a teleconference regarding scheduling, on that date and time. The defense counsel may waive the defendant's appearance. The parties shall dial 888-273-3658 and use access code 7004275 to join the teleconference.

Dated: New York, New York  
January 25, 2021

SO ORDERED  
  
SIDNEY H. STEIN  
U.S.D.J.